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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,104	02/16/2001	Joseph Fjelstad	TESSERA 3.0-188 DIV	7265
530	7590	07/27/2004	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			QUINTO, KEVIN V	
			ART UNIT	PAPER NUMBER
			2826	

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/785,104	Applicant(s) FJELSTAD, JOSEPH	
	Examiner Kevin Quinto	Art Unit 2826	<i>pm</i>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 May 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 10-12, 14, 15 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10, 11, 17 and 18 is/are allowed.
- 6) ☒ Claim(s) 12, 14, 15 and 20 is/are rejected.
- 7) ☒ Claim(s) 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 12, 14, 15, 19, and 20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 12, 14, 15, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Eldridge et al. (USPN 6,482,013 B2).
4. In reference to claim 12, Eldridge et al. (USPN 6,482,013 B2, hereinafter referred to as the "Eldridge" reference) discloses a similar device. Figure 9B of Eldridge discloses a microelectronic element with a body (910) defining a front surface and including at least one semiconductor chip with pads exposed at the front surface. Eldridge makes it clear that the body can be a semiconductor chip with active devices (column 12, lines 61-64). The flexible leads have pad ends and tip ends. The pad ends of the flexible leads are connected to the pads (912). The tip ends of at least some of

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the flexible leads project over the front surface of the body (910) and are also independently movable with respect to the body (910). These flexible leads are spaced apart from the front surface. Each of the flexible leads includes an elongated strip-like main region having substantially flat main surfaces. A first main surface of each of the flexible leads faces toward the body while a second main surface of each of the flexible leads faces away from the body. Each elongate strip-like main region of the flexible leads has a first portion comprising of the tip end. This first portion is spaced apart from the front surface by a first distance. Each elongate strip-like main region of the flexible leads has a second portion comprising of the pad end. This second portion is spaced apart from the front surface by a second distance. The first distance is greater than the second distance. Eldridge discloses the use of parylene (920) disposed between the lead and the body (910). Parylene is a known compliant or conformable material (Zechman, USPN 5,656,830, column 2, lines 7-8).

5. With regard to claims 14 and 15, figures 4A and 4C show that the pad ends of the leads are in a peripheral region of the substrate while the tip ends inwardly extend over a central region of the substrate. Eldridge makes it clear that the body or substrate can be a semiconductor chip on a wafer (column 12, lines 61-64). It is understood that the wafer includes a plurality of chips.

6. In reference to claim 20, parylene is a known elastomer (Gilliland et al., USPN 6,179,472 B1, column 7, lines 21-26). Thus Eldridge inherently meets the claim.

***Allowable Subject Matter***

7. Claims 10, 11, 17, and 18 are allowed.
8. Claim 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. The following is a statement of reasons for the indication of allowable subject matter: the examiner is unaware of any prior art which suggests a wafer probe card structure which utilizes flexible or bendable leads which are bent in a plane parallel to the wafer probe card surface upon which the leads are mounted.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Quinto whose telephone number is (571) 272-1920. The examiner can normally be reached on M-F 8AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

KVQ

  
**Minhloan Tran**  
**Primary Examiner**  
**Art Unit 2826**